

Schlein, Paul B

From: Peter Aldridge [peter@hatchfarm.com]
Sent: Wednesday, May 28, 2008 4:45 PM
To: Schlein, Paul B
Cc: Hicks, Lebelle; staff@bluebarrensfarm.com; Russell Libby; Jennings, Henry
Subject: Aerial Spraying near Occupied Areas

Hi Paul

In response to Labelle's email, our considered thoughts after many months cogitating are as follows:

That aerial spraying immediately adjacent to occupied premises, people's homes, etc., is by its nature a stressful, indeed threatening, event. As such it will inevitably cause harm to people in such premises. Such stress and fear do constitute harm, and the applicator has a duty not to cause harm. This harm occurs regardless of whether there is actual drift onto the premises concerned, and thus is not related to wind direction or other drift management factors.

Expecting people to vacate their homes to avoid being exposed to this harm is to deprive them of the quiet enjoyment of their property, again a direct harm on those involved.

Thus we believe, in all circumstances other than in response to a declared public health emergency, applicators must not overfly occupied premises at low altitude, and must not spray product either onto or directly adjacent to such premises.

This leaves the definition of "directly adjacent" to be addressed. Half a mile seems reasonable, 1000 feet more realistic, 500 an absolute minimum.

We look forward to the next meeting of the Board!

Sincerely,

Peter & Deborah Aldridge

Hatch Knoll Farm
Wild Maine Blueberries
Jonesboro ME
www.hatchfarm.com
Phone: 207 434 2674

5/30/2008

Schlein, Paul B

From: staff [staff@bluebarrensfarm.com]
Sent: Wednesday, May 28, 2008 5:37 PM
To: Schlein, Paul B; Jennings, Henry; Peter Aldridge; Deborah Aldridge
Subject: On the BPC's efforts to date on aerial spraying and drift

Hi, Paul Schlein--

I applaud the Board for undertaking a review of aerial spraying and drift. The "sensitive area likely to be occupied" construct strikes me as a useful context for considering the likely impact of drift and for this reason the board's work to date offers a promising first step.

The proposed regulations are wholly inadequate, however, and offer little more protection for persons living in a sensitive area likely to be occupied beyond those now in use, which is to say almost nothing at all. Aerial spraying is a least-cost, most-drift method of pesticide application and should never be undertaken near residences without the permission of the owners, who would otherwise be obliged to suffer the actual costs of the application--in health effects, reduced use of property, or in greatly reduced peace of mind or ease of living. Unless the BPC can certify that the level of drift likely to settle on a residence is without potential health effects, it should certainly undertake to minimize such drift with setbacks or buffers.

For many years I conventionally raised low-bush blueberries alongside raspberries, which are extremely sensitive to hexazinone, an herbicide widely used in the management of blueberries. I routinely sprayed hexazinone within a very few feet of my raspberry planting without harm because I fashioned application methods that minimized drift. I did this because I had a strong economic incentive to do so. The BPC should undertake to establish incentives that would cause applicators to minimize drift, rather than leaving those of us living in residences (or organic farms) adjacent to conventionally managed crops to bear the burden of high-drift, low-cost spray application decisions over which we have no control and from which we can derive no benefit.

Thanking you for the opportunity to offer my views,

Mark Jacoby
Blue Barrens Farm
Columbia, Maine

Schlein, Paul B

From: Ray Newcomb [ray@jbihelicopters.com]
Sent: Wednesday, May 28, 2008 8:30 PM
To: Schlein, Paul B
Cc: Hicks, Lebelle
Subject: Aerial Spraying and Drift discussions

Greetings,

After reading the summary of the discussions it is my belief that some of the agenda will benefit all but some other considerations need to be discussed prior to imposing rules that may create some tension in the future.

I have returned from Pennsylvania after spraying over 10,000 acres of BTI for control of Gypsy Moth which was conducted over dwellings-----in fact to meet the state specification to qualify under the state bid you had to have a dwelling on the property, obviously trying to provide some relief from the mass devastation.

The total acreage for the state was 225,000 acres split between fixed and rotary wing aircraft. The last group that I personally sprayed was over Penn State University and the town of State College. The only complaint that I received was from a retired DES employee who was irate that I boomed off over his house and garage as there were carpenters completing an addition to his house (I subsequently returned and sprayed his yard).

Please in your discussions you might want to discuss the possibilities of a wide area program whether it be Mosquitoes or Gypsy Moth or a plethora of other potential problems that may arise in the future.

As a resident of NH and a licensed applicator in the state of NH since 1986 I gave up my certification in 2007 because I have made two applications in the state since being licensed and the cost of licensing each year far exceeded the value of the two applications. Now in 2008 an active group on the sea coast have decided to put pressure on the board to review the restrictions placed on aerial applications and the fact that there are no licensed aerial applicators in the state to provide service in the event of a major outbreak. Now the state has contacted us to get licensed and I refuse until the regulations are changed.

I do like some of the material you have proposed and it is long over due, but please remember that the general public needs to be educated as to the risk and benefit of aerial applications, as I witnessed in the PA area not one person was against the aerial applications because they have experienced first hand what the devastation is without the controls put in place.

Thank You,

Ray Newcomb, President
JBI Helicopter Service
720 Clough Mill Road
Pembroke, NH 03275
ray@jbihelicopters.com
603-225-3134
603-224-9050 fax

Do not read this E-Mail if you are not the intended recipient, or the person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify Ray Newcomb by reply E-mail, by forwarding this to ray@jbihelicopters.com or by telephone at (603) 225-3134, and destroy the original transmission and its attachments without reading or saving in any manner. Thank you.

5/30/2008

Schlein, Paul B

From: Harker, John
Sent: Thursday, June 05, 2008 1:47 PM
To: Schlein, Paul B
Cc: Hicks, Lebelle
Subject: RE: Ongoing BPC activities re: aerial drift

My comments are :

1000 feet is too much.

Having to call if delayed is too costly.

What is the economic impact to the farming community by this action, if adopted? The burden of gathering this information should be borne by the BPC, not the farming community, as the benefit is to the public, not the farming community,

Thank you

John Harker

From: Hicks, Lebelle
Sent: Wednesday, May 28, 2008 2:38 PM
To: 'Jim Dill (E-mail)'; 'Andy Berry (E-mail)'; Struble, Dave; Harker, John; 'mdann@sevenislands.com'; Dube, Norm; 'Peter Aldridge (E-mail)'; 'Harris Parnell (E-mail)'; 'Heather Spalding (E-mail)'; 'Mark Jacoby (E-mail)'; 'Matt Carmichael (E-mail)'; 'Jennifer Andersen (E-mail)'; Deyrup, Leif; 'Don Flannery (E-mail)'; Batteese, Robert; 'David Bell (E-mail)'; 'Eric Sideman (E-mail)'; 'ronald.lemin@uap.com'; 'rlibby@mofga.org'; Bradstreet, Seth; Porter, Ned R; 'jolson@mainefarmbureau.com'; 'bob_wagner@umenfa.maine.edu'; 'Dave Yarborough (E-mail)'; 'Clark Granger (E-mail)'; 'Ray Newcombe (E-mail)'; 'PETER MOSHER (E-mail)'; 'David. R. Miller (E-mail)'; 'Max McCormack (E-mail)'; 'Saskia Janes (E-mail)'; 'Matt Davis (E-mail)'; 'Mike Lavoie (E-mail)'; 'Mike Rowland (E-mail)'; 'Dick Bradbury (E-mail)'; Bob Tardy (E-mail)
Cc: Jennings, Henry; Schlein, Paul B; Hicks, Lebelle
Subject: RE: Ongoing BPC activities re: aerial drift

Attached is the summary of recent Board discussions on potential changes in the drift regulations. Please review and send comments to Paul Schlein (e-mail above). We are looking for input. If you know of other interested parties not on this e-mail list please forward this to them or send them to our website @ www.thinkfirstspraylast.org

Thanks

Lebelle

<< File: BPC-Aerial-Summary_final_5-28-08.pdf >> << File: BPC-Aerial-Summary_final_5-28-08.doc >>